

Message Text

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ACTION COA-02

INFO OCT-01 ARA-16 ISO-00 SAM-01 SCS-03 L-03 EB-11 SCA-01

H-03 INR-10 DLOS-07 PRS-01 CG-00 DOTE-00 SSO-00

INRE-00 PM-07 USIE-00 SS-20 NSC-07 COME-00 TRSY-11

DODE-00 DRC-01 NSCE-00 /105 W
----- 012796

O R 221516Z APR 74

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 438

INFO AMEMBASSY MEXICO CITY

GOV PAN CANAL

USSOUTHCOM

C O N F I D E N T I A L PANAMA 2293

EO 11652: GDS

TAGS: EFIS, PN, PQ

SUBJ: SEIZURE OF US TUNA VESSEL--RAFFAELLO

REF: PANAMA 2286

1. FOLLOWING ACCOUNT OF SEIZURE OF M.V. RAFFAELLO ON
APRIL 17, 1974, BASED ON INFORMATION AVAILABLE TO
EMBASSY THROUGH APRIL 21:

1. NATIONAL GUARD PATROL CRAFT DEPARTED PANAMA BAY
EARLY MORNING, APRIL 16, TO INVESTIGATE REPORT OF GN
MILITARY INTELLIGENCE THAT FOREIGN FLAG TUNA BOATS WERE
FISHING IN PANAMANIAN WATERS IN GENERAL AREA OF PUNTA
MALA (APPROXIMATELY 7 DEGREES, 28 MINUTES, NORTH LATI-
TUDE AND 80 DEGREES, WEST LONGITUDE).

B. ABOUT 12:40 P.M., GN PATROL BOARDED US TUNA
BOAT, PAN PACIFICO, AND INSPECTED LOGS AND CHARTS. BOAT
FOUND TO BE NAVIGATING LEGALLY TOWARD BALBOA, CANAL
ZONE, TO EFFECT REPARIS. US TUNA BOAT WAS NOT FLYING
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PANAMANIAN FLAG IN PANAMANIAN WATERS AND WAS ORDERED

TO DO SO.

C. GN PATROL CRAFT ANCHORED OVERNIGHT IN VICINITY OF IGUANA ISLAND.

D. AT ABOUT 8:30 A.M., APRIL 17, AFTER BEGINNING PATROL, GN CRAFT HALTED RAFFAELLO AND INSPECTED LOGS AND CHARTS. RAFFAELLO WAS BOARDED AT 7 DEGREES, 18 MINUTES, NORTH LATITUDE, AND 80 DEGREES, 2 MINUTES, WEST LONGITUDE, SEVEN MILES SOUTHEAST OF PUNTA MALA WITHIN PANAMANIAN WATERS. GN ESTABLISHED FROM LOG THAT TUNA CATCH ABOARD HAD BEEN CAUGHT "IN PANAMANIAN WATERS." PROCEEDED TO ESCORT RAFFAELLO TO PANAMA CITY.

E. WHILE ESCORTING RAFFAELLO TO PANAMA BAY, GN REPORTED US TUNA BOAT, GEMINI, NAVIGATING FROM BALBOA TOWARD OPEN SEAS, ALSO NOT DISPLAYING PANAMANIAN FLAG IN PANAMANIAN WATERS.

F. GN PLACED GREAT EMPHASIS ON POINT THAT MAJORITY OF BOATS NAVIGATING IN PANAMANIAN WATERS ARE NOT FLYING PANAMANIAN FLAG AS REQUIRED BY INTERNATIONAL CUSTOM AND THAT SAID FACT SHOULD BE BROUGHT TO ATTENTION OF GOP AUTHORITIES SO THAT SHIPS AND AGENTS MAY BE NOTIFIED.

2. PANAMA AGENT FOR RAFFAELLO, R.C. WORSLEY, S.A., CALLED CONSULAR SECTION OF EMBASSY ABOUT 10:00 A.M., APRIL 17, NOTIFYING EMBASSY OF SEIZURE AND CONTACT WITH SHIP'S CAPTAIN BY RADIO. AGENT REQUESTED CONSULAR ASSISTANCE, PARTICULARLY TO EFFECT MEDICAL ATTENTION FOR SICK SEAMAN ABOARD RAFFAELLO (SEE PANAMA 2220, 2244 AND STATE 77726).

3. ABOUT 11:00 A.M., APRIL 17, 1974, PRESIDENT DEMETRIO B. LAKAS CALLED AMBASSADOR JORDEN, INFORMING AMBASSADOR THAT HE HAD JUST BEEN TOLD BY GN THAT A US TUNA BOAT HAD BEEN SEIZED AND WOULD REACH PANAMA BAY UNDER ESCORT BY 4:30 P.M.

4. EMBASSY RECEIVED NUMBER OF CALLS FROM ATTORNEY FOR CONFIDENTIAL

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AMERICAN TUNA BOAT ASSOCIATION AND DEPARTMENT DURING COURSE OF APRIL 17 AND 18. EMBASSY IN CONSTANT CONTACT WITH SHIPPING AGENT CONCERNING GOP'S INTENTION TO FINE VESSEL AND POSSIBLY CONFISCATE CATCH. CAPTAIN OF RAFFAELLO, GEORGE SOUSA, WAS DETAINED OVERNIGHT, APRIL 17 BY GN. EMBASSY CONSUL HAD BEEN INFORMED THAT CAPTAIN SOUSA SPENT THE NIGHT AT THE PORT CAPTAIN'S OFFICE AND WAS UNAWARE THAT HE HAD BEEN CONFINED AFTER MAKING STATE-

MENT TO PORT CAPTAIN ON EVENING OF APRIL 17. LT. COL. MANUEL NORIEGA, GN-G2, ORDERED PANAMANIAN ATTORNEY GENERAL TO TAKE STATEMENTS FROM SHIP'S CAPTAIN ON APRIL 18.

5. PANAMANIAN PRESS ON APRIL 17 AND 18 CARRIED PROMINENT FEATURE STORIES AND HEADLINES CONCERNING CAPTURE OF US TUNA BOAT FISHING ILLEGALLY IN PANAMANIAN WATERS. STORIES REPORTED FINE AND PLAN TO CONFISCATE CATCH OF SOME 250 TONS.

6. BASED UPON INFORMATION AVAILABLE TO EMBASSY MORNING APRIL 19, AMBASSADOR JORDEN CALLED PRESIDENT LAKAS, AS FOLLOW-UP TO PRESIDENT LAKAS' CALL ON APRIL 17, INDICATING SOME OF PROBLEMS WHICH MIGHT FLOW FROM SEIZURE OF TUNA BOAT, MOST ESPECIALLY CONCERNING POSSIBLE CONGRESSIONAL REACTIONS. HE ALSO POINTED OUT THAT THE FINE, THOUGH LARGE, WAS NOT THE MAJOR PROBLEM BUT THAT SEIZURE OF THE CATCH, VALUED AT SOME \$200,000 WOULD CLEARLY BE EXCESSIVE.

7. CAPTAIN GEORGE SOUSA, MR. GEORGE GLIGO, REPRESENTATIVE FOR STAR KIST, AND SHIPPING AGENT, R.C. WORSLEY, CALLED AT EMBASSY ABOUT 2:30 P.M., APRIL 19, FOR CONSULTATIONS WITH CONSUL AND ADCM. THEY REPORTED PAYMENT OF FINE BY CERTIFIED CHECK IN AMOUNT OF \$57,200 FOR TWO INFRACTIONS OF PANAMANIAN LAW: (1) \$7,200 AS FINE FOR FAILURE TO HAVE A NAVIGATION PERMIT AND (2) \$50,000 AS FINE FOR FAILURE TO HAVE A FISHING LICENSE. HOWEVER, PRIMARY CONCERN OF THE PERSONS CONGREGATED WAS THAT, AFTER PAYING THE FINE, VESSEL WAS STILL NOT FREE TO DEPART. IT APPEARED AS THOUGH CONFISCATION OF THE CATCH MIGHT BE THE PROBLEM. WHILE DISCUSSIONS WERE IN PROGRESS, A SERIES OF RAPID DEVELOPMENTS NOT YET AT ALL CONFIDENTIAL

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CLEAR TO THE EMBASSY, RESULTED IN RELEASE BY THE PORT CAPTAIN OF THE RAFFAELLO. THE GENTLEMEN DEPARTED TO GATHER UP THE SHIP'S DOCUMENTS AND GET UNDER WAY (PANAMA 2286).

8. THE ATTORNEY FOR SHIPPING AGENT, CARLOS RAUL MORALES, LATER INFORMED CONSUL AND ADCM THAT PRESIDENT LAKAS MADE TWO TELEPHONE CALLS: (A) TO THE MINISTER OF FINANCE AND TREASURY ORDERING THAT THE VESSEL BE ALLOWED TO DEPART; AND (B) TO THE VICE MINISTER OF COMMERCE AND INDUSTRIES, DIRECTING THAT THE CATCH NOT BE CONFISCATED.

9. AIRGRAM WILL FOLLOW WITH PERTINENT DOCUMENTS PROVIDED TO EMBASSY BY ATTORNEY MORALES AND ANY OTHER INFO WHICH MIGHT BE DEVELOPED.

JORDEN

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Message Attributes

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